REMARKS

In view of the above amendments and foregoing remarks, favorable reconsideration in this application is respectfully requested. Claims 1-33 remain pending in the application, including independent claims 1 and 19.

Claim Objections

The Examiner objects to claims 4-13 and 17-18 for various informalities. The claims have been amended to overcome the Examiner's objections.

Claim Rejection – 35 U.S.C. §112

The Examiner rejects claim 18 under 35 U.S.C. §112, 2nd paragraph as indefinite. The dependency of claim 18 has been corrected.

Claim Rejection- 35 U.S.C. §101

The Examiner rejects claims 1-18 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Specifically, the Examiner indicates that the claims are abstract ideas that do not produce a concrete and tangible result. The claims have been amended to more clearly indicate that the method is implemented by a computer. Accordingly, it is respectfully submitted that the claims are in compliance with §101.

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Claim Rejection – 35 U.S.C. §102

The Examiner rejects claims 1-33 under 35 U.S.C. §102 as anticipated by Powell (U.S.

Patent No. 6,195,590).

Powell teaches a system for control and resource allocation for the manufacture of a

product. A primary computer establishes baseline schedule dates for the beginning and end of

each activity. The baseline schedule dates are sent to secondary computers which, in turn,

calculate a delta value for the respective element and activity. The delta value is transmitted to

the primary computer, and is used to determine the predicted final completion date, allocate

resources and organize work in a queue. (See col. 2, lines 16-36).

As represented in Fig. 1 of Powell, the primary computer computes the baseline schedule

dates based on the known duration of the various activities "A". The final completion date is

assigned ("day 215" in Fig. 1), and the baseline events are calculated by working backwards

from that date. Since the duration of activity A5 is 6 days (element 5), the baseline date for

Event E3 (element 8) is the final completion date (day 215) minus the duration of 6 days, which

is "day 209". (See col. 3, line 61-col. 4, line 19). Consequently, the baseline dates that the

primary computer transmits to the secondary computers are estimated dates by which the

primary computer believes that particular activity should be completed. (Col. 4, lines 9-18). As

a result, the delta calculations of Powell are based on the estimated baseline dates, and not the

requested completion date from item orders.

Table 1 (col. 8, line 55 – col. 9, line 10) of Powell shows the information calculated by the secondary computers. As shown in that table, the secondary computer only has a single event, E2. Each secondary computer transmits the largest delta value for that event to the primary computer. That information is displayed on the primary computer as Table 2 (col. 9, lines 13-23). The final completion date is not shown since neither the primary computer nor the secondary computers determine a delta value with respect to the final completion date. Rather, the project manager must manually scan all the delta values to find the largest entry. (Col. 5, line 67-col. 6, line 1). The largest delta value is the activity that determines the final completion date since it will delay the final date in a one-to-one relationship. Thus, since the largest delta value is +2 in Table 2 of Powell, the final date is will be 2 days late. (Col. 6, lines 2-10).

Accordingly, Powell fails to teach or suggest the claimed use of a requested completion date, or a computer-implemented method that compares the requested completion date to a scheduled completion date. The secondary computers of Powell do not receive a requested completion date, but an estimated date of completion that the primary computer expects the activity to be completed. Thus, it is respectfully submitted that the claimed invention is patentable over Powell.

It is respectfully submitted that no narrowing amendments have been made to the claims. Should the Examiner consider the present amendment to narrow the invention, Applicant respectfully requests being notified accordingly. In the event there are any questions relating to this Amendment or to the application in general, it would be appreciated if the Examiner would

telephone the undersigned attorney concerning such questions so that the prosecution of this

application may be expedited.

Please charge any shortage or credit any overpayment of fees to BLANK ROME LLP,

Deposit Account No. 23-2185 (119645.00102). In the event that a petition for an extension of

time is required to be submitted herewith and in the event that a separate petition does not

accompany this response, Applicant hereby petitions under 37 CFR 1.136(a) for an extension of

time for as many months as are required to render this submission timely. Any fee due is

authorized above.

Respectfully submitted,

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